

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re **PATENT** application of:

Applicant(s): Hartlep et al.

Art Unit: 3737

Serial No: 10/661,827

Examiner: Elmer M. Chao

Filed: September 12, 2003

Docket No.: SCHWP0177USA

Title: DETERMINING DISTRIBUTION FOR PLANNING AN INFUSION

REQUEST FOR REFUND

MS16

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

A Final Office Action was issued on September 3, 2008 in connection with the above-identified application. Applicant timely filed a response to the Final Office Action on October 7, 2008 (i.e., within 2 months of the mailing date of the final Office Action). An Advisory Action issued on February 25, 2009. Thus, in accordance with MPEP §714.13(I), the period for reply expired on the mailing date of the Advisory Action (i.e., on February 25, 2009). On March 3, 2009, Applicant filed a Notice of Appeal, a petition for a 1-month extension of time, and submitted the extension fee of \$130.00.

On April 3, 2009, Applicant was charged an extension of time fee in the amount of \$980.00. This fee should not have been charged, as the period for reply expired on February 25, 2009, and a petition and 1-month extension fee of \$130.00 was timely filed on March 3, 2009. Request is hereby made for a refund of the excess amount as follows:

Fee Paid	Refund
Filing Fee	
Surcharge for late filing	
Extension of term	\$980.00
Issue fee	
Patent maintenance fee	
Other: Notice of Appeal	
Total refund requested	\$980.00

Please credit the refund to Deposit Account No. **18-0988** under the above-shown docket number.

Respectfully submitted,

/Kenneth W. Fafrak/

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